

REMARKS

Claims 4 and 14 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite because “said sphere” lacked antecedent basis. Applicant has corrected the claim dependency so that claim 4 is now dependent upon claim 3. Claim 14 has been canceled in this amendment and response.

Claim 7 was objected to because “largerthan” was mistyped. Applicant has amended claim 7 so that the word is broken into two words.

Claims 1-4 were rejected under 35 U.S.C. 102(b) as being anticipated by Orsini, U.S. Patent 5,027,539. Claims 8 and 10 were rejected under 35 U.S.C. 102(b) as being anticipated by O’Hara, U.S. Patent 5,182,146. Claims 1, 2, 5, 8, 10-12, 15, 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Ackman, Jr., U.S. Patent 1,441,261. Claims 8, 9, and 10 were rejected under 35 U.S.C. 102(b) as being anticipated by Conway, U.S. Patent 6,378,453. Claims 1, 2, and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by Godman, U.S. Patent 1,927,399. Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ackman in view of Conway. Claims 11, 13, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over O’Hara in view of Orsini. Claims 1, 6, and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Trent et al., U.S. Patent 3,557,447. Claims 8 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over O’Hara in view of Trent et al.

Applicant has amended the independent claim 1 to reflect further limitations of the present invention, and such limitations are believed to now distinguish the present invention over the art cited in the office action. Claim 1 now has “a smooth pole,

disposed through said aperture of said rising member, said rising member rotating in complete rotations about said pole as said rising member rises; and two fixed oppositely disposed wings, extending laterally outward from said rising member, wherein said fixed wings are planar and perpendicular to the plane of said pole.” Claims 2-7 depend therefrom, and so too now reflect the limitations.

Further, Applicant has canceled claims 8-17. New claim 18 depends from newly amended claim 1.

Applicant kindly encourages the Examiner to telephone the attorney of record, Michael L. Greenberg, at 301-588-8393 should the claims not be deemed allowable.

Applicant petitions for a three month extension past the shortened-statutory period for response. Please charge all fees due and owing to Deposit Account No. 500356 in the name of A + Legal Services - Greenberg & Lieberman.



CERTIFICATE OF MAILING

I hereby certify that this amendment and response was mailed via US first class postage prepaid mail to Commissioner of Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on April 6, 2005.

Respectfully submitted,

A handwritten signature in black ink, consisting of a series of loops and a final upward stroke.

Michael L. Greenberg, Esq.

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